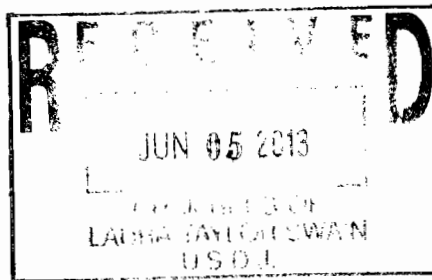
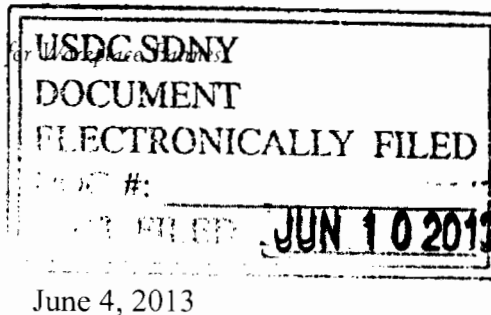


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By Hand

The Honorable Laura Taylor Swain
United States District Court for the
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: Lloyd v. J.P. Morgan Chase & Co., No. 11 Civ. 09305 (LTS)
Ciullo v. JP Morgan Chase & Co., No. 12 Civ. 02197 (LTS)

Dear Judge Swain,

We represent the *Lloyd* Plaintiffs in the above-referenced matters. We write jointly with Plaintiff Ciullo to request a three-month extension of the current discovery deadline for non-expert and class certification discovery from July 31, 2013 to October 31, 2013, and an additional one month thereafter to November 29, 2013 for the close of expert discovery. Defendants consent to this request. This is the parties' second request for an extension of the discovery deadlines. The Court granted the parties' previous request for an extension.

Plaintiffs have been diligent in attempting to push discovery forward, however, Defendants' delay in producing documents and witnesses necessitates additional time to complete discovery. Over the past several months, Plaintiffs have repeatedly followed up with Defendants regarding documents that Defendants have not yet produced. Ex. A (April 11 Letter from R. Bien to T. Linhorst); Ex. B (April 24, 2013 Email from D. Aaron to T. Linhorst); Ex. C (Emails between O. Miazad and T. Linhorst). Although Defendants have produced some responsive documents as a result of this process, there are still several categories of documents that Defendants have agreed to produce or to try and locate, but have not yet produced. Ex. D (May 24 Letter from T. Linhorst to R. Bien). There are other categories, for example documents relating to Plaintiff Kaufmann and the 8 opt-in Plaintiffs against whom Defendants have moved to compel arbitration, for which Defendants have refused to produce discovery. This dispute has prevented Plaintiffs from obtaining documents which are both responsive to their document

Hon. Laura Taylor Swain
June 4, 2013
Page 2 of 2

requests and relevant to the issues in the case and will likely leave Plaintiffs no choice but to seek an order from the Court compelling production.

The parties are also engaged in an on-going meet and confer process on the search and production of Electronically Stored Information ("ESI"). As part of that process, Plaintiffs have requested information on the volume of documents retrieved by a narrowed list of search terms and are awaiting a response from Defendants. Ex. E (May 17, 2013 Email from O. Miazad to T. Linthorst). Once Defendants provide the volume data, Plaintiffs intend to promptly evaluate it and propose any adjustments prior to production; however, this process is likely to take several additional weeks given that Defendants have not yet provided the data.

Finally, Plaintiffs noticed a Rule 30(b)(6) deposition and an individual deposition of supervisory manager Anna Carroll and are still awaiting dates for these depositions that they noticed in early May.

In light of the fact that Plaintiffs still have not obtained certain responsive documents or taken any depositions of Defendants' witnesses, Plaintiffs believe they will be unable to obtain the discovery they need by the Court-ordered deadline. Accordingly, Plaintiffs respectfully request a three month extension of the deadline for non-expert and class certification discovery from July 31, 2013 to October 31, 2013. Because fact discovery may also yield information relevant to expert discovery, Plaintiffs request that the deadline for expert discovery be extended by an additional month to November 29, 2013.

Enclosed for the Court's consideration is a Proposed Revised Scheduling Order. The parties have met and conferred and are in agreement regarding the content of the proposed revised scheduling order.

We thank the Court for its consideration of this request.

Respectfully submitted,



Ossai Miazad

enclosures

cc: Thomas A. Linthorst, Esq. (via email w/ enclosures)
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